

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHELDON GORDON, et al.	:	Case No. 1:05-CV-2726
Plaintiffs,	:	
	:	JUDGE KATHLEEN O'MALLEY
v.	:	
DAVID DADANTE, et al.	:	<u>MEMORANDUM & ORDER</u>
Defendants.	:	

On February 23, 2007, the Receiver in the instant action filed a motion for preliminary injunction to stay proceedings initiated by H&R Block before NASD (n/k/a FINRA). (Doc. 206.) On March 29, 2007, this motion was granted in part. (Doc. 229.)

On September 29, 2008, the Sixth Circuit Court of Appeals issued an order requiring the injunction to be lifted so that Plaintiff's claims against H&R Block could be pursued before FINRA. (Doc. 391.) On December 9, 2008, the Sixth Circuit issued its mandate. (Doc. 422.) Both parties now concur that arbitration between them should proceed.

Accordingly, the preliminary injunction staying proceedings before FINRA (Doc. 229) is **LIFTED.**

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: May 20, 2009